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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,429	11/17/2003	Kelly E. Rollin	305262.01/MPCP.139604	2729
45809 7590 04/24/2009 SHOOK, HARDY & BACON L.L.P. (c/o MICROSOFT CORPORATION) INTELLECTUAL PROPERTY DEPARTMENT 2555 GRAND BOULEVARD KANSAS CITY, MO 64108-2613				
EXAMINER				
LEROUX, ETIENNE PIERRE				
ART UNIT		PAPER NUMBER		
2161				
MAIL DATE		DELIVERY MODE		
04/24/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/713,429

Applicant(s)

ROLLIN ET AL.

Examiner

Etienne P. LeRoux

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28 and 30-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28 and 30-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continued Examination

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/31/2009 has been entered.

Claim Status

Claims 28, and 30-63 are pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 28, 30-37, 40-49 and 52-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Dono et al* (US 7,089,593) in view of *Pelon* (US 2004/0073567).

Regarding claim 28, 40 and 52, *Dono* discloses:

detecting a connection of a portable storage device (PSD) to a computing device

[*Dono*, Fig 3, step 302 couple storage device, col 6, lines 15-25]

upon detecting the connection of the PSD, scanning the PSD for an indication of an existing user profile containing data files, application settings,

[Dono, col 6, lines 40-50, user authorization is checked/verified by inspecting the authorization code that was stored on the portable storage device 142 in step 304, data files = applications resident on the portable storage device, application settings = application settings are changed in accordance with the user's preferences]

wherein the user environment settings include one or more of a user's desktop configuration, a start menu configuration, or an application toolbar configuration

[Dono, col 4, lines 15-30, personalization settings, selection and placement of icons, spell checker turned on or off, color scheme, font size, desktop pattern and screen saver, preferred directories, address books, bookmarks]

Dono discloses the elements of the claimed invention as noted above but does not disclose in response to detecting that no existing user profile is found on the PSD, automatically launching a user profile connection wizard that enables the user to create a user profile on the PSD. Pelon discloses in response to detecting that no existing user profile is found on the PSD, automatically launching a user profile connection wizard that enables the user to create a user profile on the PSD [Pelon, paragraph 97, Fig 3, START step 301, user is presented with three options, paragraph 98, user may customize database structure]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dono to include in response to detecting that no existing user profile is found on the PSD, automatically launching a user profile connection wizard that enables the user to create a user profile on the PSD as taught by

Pelon for the purpose of guiding the user through each step of the task or entering data on the portable storage device.

The combination of Dono and Pelon discloses receiving input from the user profile configuration wizard from the user selecting which content data will be synchronized between the PSD and the computing device [Pelon, paragraph 100, synchronization of the portable computer with the master computer]

The combination of Dono and Pelon discloses storing the selected content on the PSD is association with a new user profile [Pelon, paragraph 21, a copy of the master data file is stored in the portable computer and is synchronized with the master data file periodically or when a user initiates a synchronization action]

The combination of Dono and Pelon discloses in response to the user input, synchronizing the selected content data between the PSD and the computing device [Pelon, paragraph 21, a copy of the master data file is stored in the portable computer and is synchronized with the master data file periodically or when a user initiates a synchronization action]

Regarding claim 30, 42, 54, the combination of Dono and Pelon discloses wherein the content data comprises a plurality of different types of data [Dono, col 4, lines 5-10]

Regarding claim 31, 43, 55, the combination of Dono and Pelon discloses wherein the plurality of different types of data include one or more contacts, multimedia files, calendar data, and documents [Dono, col 4, lines 5-10]

Regarding claim 32, 44, 56, the combination of Dono and Pelon discloses wherein for each of the plurality of types of data, the user may select all, some, or none of the data [Dono, col 6, lines 20-35]

Regarding claim 33, 41, 45, 53, 57, the combination of Dono and Pelon discloses the step of synchronizing the selected content data with data on a later-connected PSD [Pelon, paragraph 100]

Regarding claim 34, 46, 58, the combination of Dono and Pelon discloses wherein the content data comprises user settings [Dono, Fig 4, step 408]

Regarding claim 35, 47, 59, the combination of Dono and Pelon discloses prompting the user to select for synchronization all, some or none of the user settings [Pelon, Fig 4, paragraph 102]

Regarding claim 36, 48, the combination of Dono and Pelon discloses displaying, if the user chooses some of the user settings for synchronization, a list of user settings to the user [Pelon, paragraph 102, Fig 4]

Regarding claim 37, 49, 61, the combination of Dono and Pelon discloses the elements of the claimed invention as noted above but does not disclose wherein each item in the list of user settings is accompanied by a checkbox that, if check, selects the item for synchronization. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein each item in the list of user settings is accompanied by a checkbox that, if check, selects the item for synchronization for the purpose of providing a quick and easy means for the user to make a selection of a desired action.

Claims 38, 39, 50, 51, 62, 63, are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Dono and Pelon and further in view of Horvitz (US 2003/0154282).

Regarding claim 38, 50, 62, the combination of Dono and Pelon discloses the elements of the claimed invention as noted above but does not disclose determining whether there is

sufficient memory available on the PSD to store a user profile. Horvitz discloses determining whether there is sufficient memory available on the PSD to store a user profile [claim 41]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include determining whether there is sufficient memory available on the PSD to store a user profile as taught by Horvitz for the purpose of determining whether to change the storage capacity [claim 41].

Regarding claim 39, the combination of Dono, Pelon and Horvitz discloses wherein if there is sufficient memory available on the PSD to store a user profile, selecting a portion of memory on the PSD for storing the user profile and formatting the portion of memory for use as a user profile [Dono, Fig 3]

Regarding claim 51, 63, the combination of Dono, Pelon and Horvitz discloses the elements of the claimed invention as noted above but does not disclose wherein if there is not sufficient memory available on the PSD to store a user profile, offering to free up storage space on the PSD by deleting files stored on the PSD selecting a portion of memory on the PSD for storing the user profile and formatting the portion of memory for use as a user profile. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the above combination of references to include wherein if there is not sufficient memory available on the PSD to store a user profile, offering to free up storage space on the PSD by deleting files stored on the PSD selecting a portion of memory on the PSD for storing the user profile and formatting the portion of memory for use as a user profile for the purpose of conserving resources by making the best utilization of the present memory.

Response to Arguments

Applicant's arguments filed 3/31/2009 have been fully considered but they are moot based on above new grounds of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached on 8:00 am - 4:30 pm, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Etienne P LeRoux/
Primary Examiner, Art Unit 2161

4/23/2009